

**GOVERNMENT OF ANDRHA PRADESH
ABSTRACT**

ESTABLISHMENT – Finance Department – Sri P. Koteswaraiah, Accounts Officer – Disciplinary Action taken for Un-authorized Absence — Imposed Major Penalty of Removal from Service – Cancellation – Orders – Issued.

FINANCE (OP.I) DEPARTMENT

G.O.Rt.No.1346

Dated: 04-04-2015

Read the following:-

1. G.O.Rt.No.3152, Finance (OP.I) Department, dated: 17.08.2007.
2. Representations of Smt. P. Lakshmi, W/o P. Koteswaraiah, formerly Accounts Officer, Finance Department, dt. 29.08.2012, 11.09.2012.
3. Government Letter No. 8233/355/A1/OP.I/2012, dated 02.02.2013 addressing the Commissioner of Police, Cyberabad.
4. From the Station House Officer, Rajendranagar Police Station Letter dated: 08.02.2013.
5. Representations of Smt. P. Lakshmi, W/o P. Koteswaraiah, formerly Accounts Officer, Finance Department, dated 19.09.2014.

In the reference first read above, orders were issued removing Sri P.Koteswaraiah, Accounts Officer, Finance Department, from Government Service as per Clause (ix) of Rule 9 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, for his un-authorized absence from duty since 17.08.2001 to 25.07.2004 and from 02.05.2005 onwards till the issue of orders in the reference 1st read above.

2. In the reference second read above, Smt. P. Lakshmi, W/o P. Koteswaraiah, formerly Accounts Officer, Finance Department, has informed that her husband was missing since 26.05.2007 and filed FIR No.510/2007. Further she stated that the Police authorities in their report stated that “MAN was MISSING”. Based on the said report, Smt. P.Lakshmi approached Government for sanction of pensionary benefits and requested for employment on compassionate grounds.

3. In the reference third read above this department addressed the Commissioner of Police, Cyberabad to confirm the whereabouts of Sri P. Koteswaraiah, Accounts Officer, Finance Department, who had gone missing.

4. The Law Department when consulted in the matter stated that according to the Indian Evidence Act, 1872 under section 108, “the question of proving whether a man is dead or alive, and it is proved that he has not been heard of for seven years by those who would have naturally heard of him if he had been alive, the burden of proving that he is alive is shifts to the person who affirms it”. Therefore when the whereabouts of a person are not known for period of seven years, he is deemed to have been dead. The procedure prescribed in rule 14-B of appendix – I of A.P. Revised Pension Rules 1980 can be followed to settle family pension and gratuity of the individual.

5. In the reference fourth read above the Station House Officer, Rajendranagar Police Station has stated that on 26.05.2007 at 1300 hrs a complaint was registered at P.S. Rajendranagar from Smt. P. Lakshmi, W/o P. Koteswaraiah, age 42 years, R/o H.No.3-5-68-7-1, Plot No.122, Shivanagar, Hyderaguda, Rajendranagar that on 16.07.2005 her husband Sri P. Koteswaraiah, formerly Accounts Officer in Establishment- Finance Department had left the house and did not return. Accordingly a case was registered vide FIR No.510/2007, dated 26.05.2007 at Rajendranagar Police Station and several efforts were made to trace the missing man, but in vain. Hence the case was referred as "Un-Detected for time being" on 15.06.2007. Finally the police authorities reported that Sri P. Koteswaraiah, formerly Accounts Officer is missing and did not return until today and his whereabouts are not known.

6. Government, after careful examination of the matter, keeping in view of Section 180 of Indian Evidence Act, 1872 and the report received from the Police Department hereby arrive at the conclusion that Sri P. Koteswaraiah, Accounts Officer who was reported to be missing since 26.05.2007 is presumed dead.

7. Consequent to the orders in para 6 above, Government hereby rescind the orders issued in the reference first read above. Further course of action for sanction of pensionary benefits to the legal heirs of P. Koteswaraiah, Accounts Officer, Finance Department shall be taken as per rule 14-B of appendix - I of A.P. Revised Pension Rules 1980.

8. The orders issued in paras 6 & 7 above shall automatically get revoked in case the individual is actually found alive or any new evidence to that effect comes to the notice of the Government either through the police Department or through any other source; and the benefits if any, paid to the legal heirs of the missing Government servant shall be recovered in full.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. P.V. RAMESH
PRINCIPAL SECRETARY TO GOVERNMENT (R&E)

To

Smt. P. Lakshmi, W/o P. Koteswaraiah, Accounts Officer, Finance Department.

Copy to:

The Finance (Claims) Department.

The Deputy Pay and Accounts Officer, Secretariat Branch, Hyderabad.

The P.S. to Spl. C.S.(Fin)/PFS (R&E)/Secretary/Spl.Secy (Fin)

SF/SC's.

//FORWARDED :: BY ORDER//

SECTION OFFICER